

REMARKS

Applicant respectfully requests reconsideration of the present application in view of the foregoing amendments and the reasons that follow.

Claim 5 is requested to be canceled without prejudice or disclaimer. Claims 1, 6-7, 13, 19 and 24 have been amended.

This amendment changes and deletes claims in this application. A detailed listing of all claims that are, or were, in the application, irrespective of whether the claim(s) remain under examination in the application, is presented, with an appropriate defined status identifier.

After amending the claims as above, claims 1-4 and 6-28 are pending in the application.

Rejection under 35 U.S.C. § 101

Claims 1-3 stand rejected under 35 U.S.C. § 101. This rejection is obviated in light of the amendment to claim 1 to incorporate the subject matter of claim 5 (claims 2 and 3 depend from claim 1), where claim 5 was not rejected under 35 U.S.C. § 101.

Rejections under 35 U.S.C. §§ 102 and 103

Claims 1, 4-8, 10-13, 15-19, and 21-27 stand rejected under 35 U.S.C. § 102(e) as being anticipated by U.S. Patent Application Publication No. 2001/0023412 A1 to Morimoto (hereafter “Morimoto”). Claims 2, 9, 14, 20 and 28 stand rejected under 35 U.S.C. § 103(a) as being unpatentable over Morimoto in view of U.S. Patent No. 6,025,837 to Matthews, III et al. (hereafter “Matthews”). Applicant respectfully traverses these rejections for at least the following reasons.

Independent claim 1 recites “identifying via an identifier on said display a status of said image, said identifier being viewable only during a predetermined time criteria.” Morimoto and Matthews fail to suggest at least this feature of claim 1 in the context of that claim.

Morimoto discloses a digital distribution system that allows a buyer of a book to read the digital contents of the book immediately after the buyer places an order for the book (abstract). A buyer can use a client computer 30 to access a book vendor's web page on a server 10, and select a book item (paragraph 45). The buyer then uses an order page 23 displayed on the client computer screen to specify a desired delivery period of the book (paragraph [0046]). A contents availability period is then set, and until the contents availability period expires, the buyer has access to the digital contents of the book via a control program (see paragraphs 47-51).

Morimoto, however, does not disclose as recited in claim 1, "identifying via an identifier on said display a status of said image, said identifier being viewable only during a predetermined time criteria." Morimoto does not disclose that the pages of the vendor web site that are displayed on a screen of the buyer's client computer include any status of the image displayed. Morimoto merely discloses a system that allows a buyer to order a book from a web site, and then upon ordering, allows a buyer to view the digital contents of the book for a period of time. Morimoto does not disclose that the screen of the client computer displays any status of an image displayed.

Matthews does not cure the deficiencies of Morimoto. The Office Action cites to Figure 5 and col. 9, lines 1-15 as allegedly displaying as recited in claim 2, the status as one of a new image, an altered image and a current image. Matthews, however, in Figure 5, merely discloses a channel program listing, which lists the time, network and title of various programs. Matthews does not disclose in Figure 5 any identifier on a display that identifies any status of the image itself shown on a display of the channel listing.

Moreover, there is no suggestion to add the channel program listing of Matthews to the book vendor website of Morimoto. One skilled in the art would not have added the channel program listing of Matthews to the book vendor website of Morimoto, because the purposes of the program listing and the book vendor website are entirely different.

Still further, even if combined, the resultant system of Matthews and Morimoto would not result in a system which allows for "identifying via an identifier on said display a status of

said image, said identifier being viewable only during a predetermined time criteria”, as in claim 1, because neither Matthews nor Morimoto disclose an identifier on a display that identifies a status of an image itself on the display.

Independent claims 8, 13, 19, 24 and 25 respectively recite “relating a time criteria to said image; and embedding a link to an identifier for identifying on said display a status of said image, wherein said embedded link expires when said time criteria is satisfied”, “identifying via an identifier on said computer screen a status of said image, said identifier being viewable only during a predetermined time criteria”, “relating a time criteria to said image; and embedding a link to an identifier for identifying on said computer screen a status of said image, wherein said embedded link expires when said time criteria is satisfied”, “embedding a link to an identifier for identifying on said WebPage that said image is new, said embedded link automatically expiring after a pre-determined maximum time limit”, and “means for relating a time criteria to said image; and means for identifying on said WebPage a status of said image until said time criteria is satisfied.” Thus independent claims 8, 13, 19, 24 and 25 are patentable over Matthews and Morimoto for reasons analogous to claim 1.

The dependent claims are patentable for at least the same reasons as their respective independent claims as well as for further patentable features recited therein. For example, dependent claim 2 recites “wherein a status comprises one of a new image, an altered image, and a current image.” The Office Action cites to Matthews at Figure 5 and col. 9, lines 1-15 as disclosing this feature. The cited section of Matthews, however, merely discloses a channel program listing, which lists the time, network and title of various programs. No status of any image of the channel listing is disclosed on the display of the channel listing.

Applicant believes that the present application is now in condition for allowance. Favorable reconsideration of the application as amended is respectfully requested.

The Examiner is invited to contact the undersigned by telephone if it is felt that a telephone interview would advance the prosecution of the present application.

The Commissioner is hereby authorized to charge any additional fees which may be required regarding this application under 37 C.F.R. §§ 1.16-1.17, or credit any overpayment,

to Deposit Account No. 19-0741. Should no proper payment be enclosed herewith, as by a check being in the wrong amount, unsigned, post-dated, otherwise improper or informal or even entirely missing, the Commissioner is authorized to charge the unpaid amount to Deposit Account No. 19-0741. If any extensions of time are needed for timely acceptance of papers submitted herewith, Applicant hereby petitions for such extension under 37 C.F.R. §1.136 and authorizes payment of any such extensions fees to Deposit Account No. 19-0741.

Respectfully submitted,

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FOLEY & LARDNER LLP
Customer Number: 22428
Telephone: (202) 672-5485
Facsimile: (202) 672-5399

By Thomas G. Bilodeau

William T. Ellis
Attorney for Applicant
Registration No. 26,874

Thomas G. Bilodeau
Attorney for Applicant
Registration No. 43,438